

PATENT
Attorney Docket No. 175931

DHHS Ref. No. E-167-1997/0-PCT-02

Date: February 18, 2003

In re Application of: Mitchell et al.
 Application No. 09/424,519
 Filed: March 3, 2000
 For:

THE USE OF A NITROXIDE OR A PRODRUG THEREOF IN THE PROPHYLACTIC AND THERAPEUTIC TREATMENT OF CANCER

Commissioner for Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment and Response to Office Action in the subject application.

- Applicants claim small entity status of this application under 37 CFR 1.27.
- Petition for Extension of Time
 - Applicants petition for a two month extension of time under 37 CFR 1.136, the fee for which is \$ 410.00 (enclosed).
 - Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- No additional claim fee is required.
- Other: Amendments to the Specification Made in Response to Office Action Dated September 18, 2002; Amendments to Claims Made in Response to Office Action Dated September 18, 2002; Pending Claims After Amendments Made in Response to Office Action Dated September 18, 2002; Declaration under 37 C.F.R. § 1.131 of James B. Mitchell with exhibit pages 1-9; Mamet et al.; Jackson; Hollstein et al.; de Klein et al.; and Kadin

The claim fee has been calculated as shown below:

						SMALL ENTITY		OTHER THAN A SMALL ENTITY	
		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	ADDT. CLAIM FEE		ADDT. CLAIM FEE		
TOTAL	42	MINUS	27	=15	x 9=	\$	x 18=	270.00	
INDEPENDENT	3	MINUS	3	=0	x 42=	\$	x 84=	\$0.00	
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$	
					TOTAL	\$	TOTAL	\$270.00	

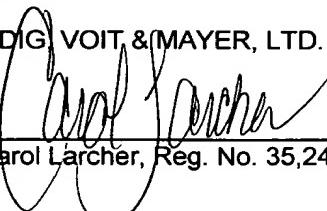
- Please charge my Deposit Account No. 12-1216 in the amount of \$680.00. A duplicate copy of this sheet is attached.
- The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.

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Respectfully submitted,

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By 
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